

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
Wheeling**

DIANA MEY,

Plaintiff,

v.

CIV. ACT. NO. 5:25-CV-137
Judge Bailey

**FEX QUOTES, LLC,
ADAM BARKOW, and
JOHN DOE,**

Defendants.

ORDER AND ROSEBORO NOTICE

Pending before this Court is Defendants Fex Quotes, Inc. and Adam Barkow's Motion to Dismiss Plaintiff's Complaint [Doc. 7], and Memorandum in Support [Doc. 7-1] filed August 26, 2025.¹ The Court notes plaintiff is not represented by counsel; therefore, this Court has a mandatory duty to advise the *pro se* plaintiff of her right to file responsive material, and to alert her to the fact that failure to so respond might result in the entry of an order of judgment with regard to the Complaint. ***Davis v. Zahradnick***, 600 F.2d 458, 460 (4th Cir. 1979); ***Roseboro v. Garrison***, 528 F.2d 309, 310 (4th Cir. 1975). Plaintiff is so advised.

Within twenty-one (21) days of receipt of this Order, plaintiff shall file any opposition explaining why the Motion to Dismiss [Doc. 7] should not be granted. Plaintiff is further

¹While the Motion states defendant Fex Quotes, LLC, was improperly named in the Complaint, this Court will refer to that defendant using its name as listed on the docket sheet.


advised that she must serve defendants Fex Quotes, LLC, and Adam Barkow with any response filed.

Additionally, defendants Fex Quotes, LLC, and Adam Barkow are **ORDERED** to send copies of their Motion [Doc. 7], supporting Memorandum [Doc. 7-1] and exhibit [Doc. 7-2] by certified mail, return receipt requested, to plaintiff at her last known address and to file the return receipt with this Court.²

It is so **ORDERED**.

The Clerk is directed to mail a copy of this Order to the plaintiff by certified mail, return receipt requested, to her last known address as reflected on the docket sheet and to all counsel of record via electronic means.

DATED: August 26, 2025.



JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE

²The Court notes the certificates of service for defendants Fex Quotes, LLC, and Adam Barkow's Motion [Doc. 7] and supporting Memorandum [Doc. 7-1] reflects service to plaintiff by "U.S. mail." [Doc. 7 at 3; Doc. 7-1 at 12]. Because it is not clear whether defendants served plaintiff by certified mail, return receipt requested, the Court included the directive herein regarding service to plaintiff.